

THE
LIVES
OF
STEPHEN M'DANIEL,
JOHN BERRY,
James Egan, (alias Gabagan)
AND
JAMES SALMON, Thief-Takers.

CONTAINING,

A full ACCOUNT of the Evidence on which
they were convicted, which opens such a Scene
of Villainy as is scarce to be parallell'd in History.

Together with

Mr. Cox's NARRATIVE, by whose Vigilance
and Industry, they were discovered, taken and
brought to Justice.

WITH THE

Evidence they gave against KELLY and ELLIS
at the Assizes at *Maidstone*.

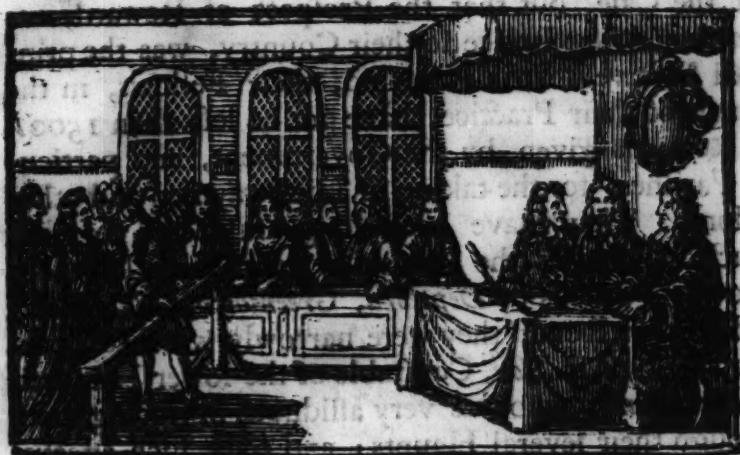
LIKEWISE

The CASE of KIDDEN, the Porter, who was
wrongfully convicted of a Robbery on the Highway; and
executed at *Tyburn*, on the Evidence of *M'Daniel, Berry,*
Blee, and other Thief-takers;

L O N D O N :

Printed for H. OWEN, Printer of the *St. James's*
Evening Post, White-Fryars, and C. SYMPSON, at
the *Bible-warehouse, Chancery-lane.* 1755.

[Price SixPence.]



THE LIVES OF

STEPHEN M'DANIEL, JAMES BERRY,
JAMES EGAN, (*otherwise GAHAGAN,*)
and JAMES SALMON, *Thief-Takers.*

STEPHEN M'Daniel, James Berry, James Egan (*otherwise Gabagan*) and James Salmon, had for a considerable Time been employed as Thief-takers, and by their Vigilance and Activity, had forced great Numbers to make their Exit upon the Gallows. Many of those, who were convicted, thro' their Means, no Doubt suffered justly; but there is great Reason to question, whether all those whom they brought to this shameful End, were of that Number; we

are very sure that in the Instance before us, this was not the Case, but that the Prospect of Reward, rather than doing Justice to their Country, was the principal Motive. It is even said, these Fellows, in the Course of their Practice, have got no less than 1500*l.* as Rewards given by the Government, and particular Parishes, for the taking of Highwaymen and other Felons. They have been long suspected of foul Practices, and as the Pursuit of their Game led them into the Purlieus of *Deptford, Greenwich, Blackbeath*, and on that Road, they were narrowly watched, particularly by Mr. *Cox*, Constable of the lower Hundred of *Blackbeath*, who was very assiduous in tracing them through their several Haunts; and took such effectual Measures for the Discovery of their Villainy, that at length he secured their Persons, and brought them to Justice, as will appear in the Course of their Tryal at the *Old Bayley*, where *March 1, 1755*, they were indicted, for that at the *Affizes* held at *Maidstone* for the County of *Kent* on the 13th of *August* last, *Peter Kelly* and *John Ellis* were indicted for a Robbery on the King's Highway, on *James Salmon*, in the Parish of *St. Paul, Deptford*, and taking from him a Linnen Handkerchief, Value 4*d.* two Pair of leathern Breeches, one clasp Knife, one Iron-Tobacco-Box, one Silver Pocket-Piece, one Guinea, and one half-Crown; and the said *Peter Kelly* and *John Ellis* were tried and convicted for that Robbery; and that the said *M^r Daniel, Berry, Egan, and Salmon* on the 23d of *July 1755*, in the City of *London* were Accessaries before the Felony was committed, and feloniously and maliciously did aid, assist, counsel, hire and command the said *Ellis* and *Kelly* to commit this Robbery.

THEY were likewise indicted on a second Count for the same as an Offence at *Common Law*.

MR. *Cox* was first called to prove the Record of the Conviction of *Peter Kelly* and *John Ellis*, a Copy of which was produced in Court and read.

THEN

THEN *Thomas Blee* was called and sworn. He had been one of the Gang, and was a Sort of Runner or Implement, to assist them in carrying on their Schemes, and by the Industry and Vigilance of *Mr. Cox*, had been secured to give Evidence against them.

He deposed, that he had known *Berry* eight or nine Years, and *M^cDaniel* 12 Months last November; that he never had much Acquaintance with *Salmon* till June last; *Egan* he had known four or five Years, by his coming often to *Berry's*.

BEING asked, if he knew *Kelly* and *Ellis*, he said he did, and that they were then in *Maidstone Gaol*.

THE Manner of his becoming acquainted with these People, he said, was thus: He lodged at *Berry's* House, and worked for him. In the Beginning of July last *Berry* sent him to *M^cDaniel*, who lived in *Scroop's Court, Holbourn*, to tell him, that he wanted to speak to him. *M^cDaniel* accordingly came. They both said, *Tom*, Money grows scarce, you must look out sharp for a Couple to go upon the *Scamp*, and if you can't get two, get one. The *Scamp* is a cant Word, to go upon the Highway. *Tom* told them, that *Kidden's* Affair was so bad, that he did not chuse to be concerned any more, who was convicted and executed, last January was a Twelvemonth, at *Tyburn*. *M^cDaniel*, replied; "If you don't, it shall be the worse for you." *Berry* said; "He might go about his Business;" upon which he went away. But the next Morning *Berry* called him into his Room, and said; "Go to *M^cDaniel*, and desire him to meet me in the Fields about 11 o'Clock." They went into the *Sparw* Fields, and he with them. They sat down upon the Grass, and bad him go and look about the Fields, and if he could pick up a Couple of idle Fellows, that would do for the Purpose, that is, go upon the *Scamp*. For three Days successively they went into the Fields on the same Account, but could pick up no Body for their Purpose. The 15th of
July,

July, one of those Days, they ordered him to go into the Fields, and wait 'till they came. After two Hours *M^d Daniel* came to him, and went with him to *Sir John Oldcastle's*, where, at the Bottom of the Yard, they found *Berry* and *Salmon* the Breeches Maker. Then they discoursed all together about this Robbery. *M^d Daniel* said, we will do it some-where towards *Blackbeath*; but *Berry* insisted it should be done between *New-Cross Turnpike* and *Deptford*, just facing the *four-Mile Stone*. The Reason he gave for it, was, that there is a Reward of 20*l.* given by the Inhabitants of *East-Greenwich* for apprehending Highwaymen and Footpads; adding, suppose we have *Egan* with us; and talked about his being a *Fence*, that is, to buy the Goods, after *Salmon* had been robbed of them. *M^d Daniel* objected to *Egan's* being in, because he thought five too many to share the Reward. *Berry* replied, we can't well do without him; for even then there would be near 20*l.* a Piece, tho' a Constable should have a Part. Upon which it was concluded, that *Egan* should be taken in as a *Fence* in the Robbery, and *Blee* was ordered to go and acquaint him with it directly; and that it was not proper for them to be seen to walk in the Streets together. The next Morning *Tom* went out again, to seek some Body for the Purpose but could find none. The next Day after, *Berry* called him into his Room, and bad him go and tell *M^d Daniel* to come to him to the *Bell* in *Holbourn*. *M^d Daniel* came and *Blee* with him, where they found *Egan*, *Salmon* and *Berry*, and they all concluded that the Thing should be done; by which they meant, that *Tom* should get a Couple to go on the Highway, and that *Salmon* should be the Person to be robbed of two Pair of Breeches, which were to be marked under the Pocket or Waistband with some particular Mark, which he thinks was to be *J. S.* Then *Berry* and *M^d Daniel* said they must have a particular Handkerchief; *M^d Daniel* pulled out one, but *Salmon* said, he had one at home, which
he

he would mark so, as to swear to, that is, with four oillet Holes, one at each Corner. *Berry* said, they should want a Tobacco Box. *M^cDaniel* answered, he had a very remarkable one that any Body might swear to, and that he would give it to *Salmon* to be robbed of. They wanted likewise a Halfpenny and would have it marked. *M^cDaniel* said he had a Pocket-piece, which *Tom* said he saw his Wife buy for Three-pence and a Halfpennyworth of Gin. This was thought the best, and *Egan* was to mark it with a Shoemaker's Tool. They then bid *Tom* go about his Business. The next Morning *Berry* called him into his Room again, gave him Three-pence, order'd him to go down to the *Fleet-market*, and see if he could pick up two Men, or Lads, for the Purpose.

T O M went accordingly, and met with *Peter Kelly*, and *John Ellis*, whom he knew to be Pick-pockets, but had then no Discourse with them about the Affair in Hand. Next Morning *Berry* gave him Three-pence more, and bid him go and be sure to have a little Talk with them, and tell them he knew where they might get a brave Parcel of *Lullies*, that is, Linen, if they would go with him to *Deptford*. *Tom* went accordingly, and did his Message, but not as from *Berry*, for then they would not have gone; but they agreed to go with *Tom* when he thought proper.

T O M being asked by the Court what *Kelly* and *Ellis* were, said, *Ellis* was a Chimney-sweeper, about Twenty Years of Age, and the other about Twenty-one. Next Morning *Tom* gives *Berry* an Account of his Success, who bids him go and tell *M^cDaniel* to come to him to the *Plumb-tree*, at the Bottom of *Holborn-Hill*. *M^cDaniel* went, and *Tom* with him, and found there *Berry* and *Salmon*. *Berry* told him, that *Tom* had got two Men, who had agreed to go where he thought proper.

THE Reason why they were willing that he should go alone was, because People should not take notice of him, and gave him the great Coat he had on to disguise him. This was on a *Friday* when he had been to *Kelly* and *Ellis*. He saw them in the *Fleet-Market* on a Pea-Cart, and gave them a Glass of Gin, and left them. About two Hours after, he met them again, and asked them if they would go to *Deptsford* or not? they said, yes. *Kelly* asked him if he had got a Bag to put the Linnen in? He said, they'did not want a Bag, and would tell them more of that another Time, and left them.

AT Night *Berry* asked him, if he had seen them? he said he had. Then says *Berry*, call on me in the Morning before you go out; which he did, and *Berry* gave him 6d, to treat the Lads. He went and found them in the *BrickFieldd*, and treated them with Gin and Beer, and promised to meet them on the *Morrow Morning*. Then he sent to *M^cDaniel* and told him, he had got two Lads, that he believed would suit his Purpose, but he should see them again to *Morrow*, when he would let him know more about it; and he said it was very well.

AT Night *Tom* went to *Berry*, and told him what had passed between the Lads and him; he said, it was very well, and he should see *Egan* to *morrow Morning*. The next Morning, *July 22d*, about 5 o'Clock, *Berry* bad him go and tell *M^cDaniel* not to be out of the Way, and gave him Three-Pence to go and treat *Kelly* and *Ellis*; which he did, and told them he would fix a Day when to go to *Deptsford*, and so left them. Then he went to *M^cDaniel's* House. About nine in the Morning *Berry* and *Egan* came in. *Berry* said, G.—d d—n you, *Mack*, you and my Lord (meaning *Tom*) mind nothing but that d—n'd Tea-Kettle, you don't mind to look after Business. He then told *M^cDaniel* what *Tom* had done, and *Tom* said, *Egan* might go and see the Lads, if he pleased. They went together,
and

and he gave each of them a Halfpenny to buy Gin, *Egan* standing three or four Yards off. Then they went back to *M^cDaniel's*, and *Egan* told him and *Berry*, they'll do very well, they are two pretty Lads. Then *Berry*, *Egan* and *Tom* went down Stairs, and *Egan* parted with them at the End of the Court. *Berry* and *Tom* went on and called on *Salmon* by the Way, and put in at the Plumb-Tree. *Berry* ordered him to call on *M^cDaniel*. *Tom* went to the two Lads again, who told him, they were going to work, as they called it, that is, to pick Pockets in the *Artillery Ground*, the *White-Regiment* being to march that Day. He came back and acquainted *Berry* and *M^cDaniel* with it. *Berry* gave him Three-Pence to go and keep them Company, and both said they would come there about 2 o'Clock to see the Lads. *Tom* did as he was ordered; and about the same Time *Berry* and *M^cDaniel* came there, but took no Notice of *Tom* nor he of them, as it had been agreed. After that, he left the Lads and went to *Berry*, and asked him whether he thought they would do? Do! said he; d—n me, I have done less than they over, for *March* and *Newman* were less, (*who were tried in Alderman Cockayne's Mayoralty*,) and putting his Hand in his Pocket, gave him Six-Pence, and bad him be sure not to leave them.

HERE *Berry* interrupts him, and says, there is a Man in Court, (pointing to one near him) who will contradict that. Upon which the Court asked him, if he did not know, that at his Request all the Evidences for the Prosecution were put out of Court, to be called in one at a Time, and that his were put out also? How came this Witness in again? He must go out, and come when he is called. (*He went out, but came not in again when called on Berry's Defence.*)

TOM then went and found *M^cDaniel*, and asked him, if he thought the two Lads would do? He said,

d—n your Eyes, I have done less than they over at *Kingston*.

THEN he went and gave the Boys Part of a Pot of Beer, and bid them good-by'e, telling them he would see them again next Morning, which was the 24th. In the Morning he told *Berry* he was going to them, and he gave him Three-pence. Then he went to the *Fleet-market*, and told them, he believ'd the Thing would be done on *Friday*, this was on the *Wednesday*, if not, he would let them know farther. At Night he told *Berry* he had been with *Kelly* and *Ellis*. He said, D—n you, don't go to deceive us; come up to the *Bell* in *Holborn* by and by, and tell *M^cDaniel* I want him. He went, but *M^cDaniel* was not at Home. Then he went to the *Bell*, and met *Berry* at the Door, who gave him Three-pence and bid him be in the *Artillery Ground* at Two o'Clock. This was *Thursday* the 25th in the Morning. He went thither accordingly, and walked about an Hour and a Half before he saw either *Berry* or *M^cDaniel*; but at last saw *M^cDaniel*, who said he had been at Dinner with Somebody in the *Artillery-house*. About half an Hour after, there was a Hue and Cry after a Pick-pocket. *M^cDaniel* came to him and said, G—d d—n me, the chief Person is a ducking in the *Py'd Horse-yard*, follow him, and give him some Gin, for they have almost killed him. It was *Ellis* the Chimney-sweeper; *Tom* follow'd him, and when the Mob had left him, he gave him a Penny or three Halfpence. Then went back, and told *M^cDaniel* he was very safe. As they were going out of the Ground together, they met one they call *Plump* (his Name *Bradbrook*) and another Fellow they call *Doctor*, the then Turnkey at *Clerkenwell Bridewell*. *Plump* said to *Tom*, G—d d—n you you Rascal, you ought to be hanged for that Affair of *Kidden*. *M^cDaniel* said, come along, don't be afraid of any Body. After that *Tom* went to *Fleet-market*, to see if *Ellis* was safe. He found them both; he told them he would meet 'em next Morning.

Morning. They said they had no Money to pay for a Lodging. He gave them three Halfpence, and bid them go and lie in the *Brickfields* that Night. If *Ellis's* Ducking had not happened, the *Robbery* of *Salmon* was to have been on *Friday*. But they agreed it should not be on the *Friday*, lest the Lads should be apprehended on the *Saturday*, and kept all the next Day in the Watch-house, where they might tell something about his being concerned with them, which might occasion his being apprehended; and therefore they fixed it for *Monday*, on which Morning *Berry* gave him some Halfpence to go to the *Fleet-market*, and bid the Lads stay till nine o'Clock, and he would come to them again. He then went to the *Plumb-tree*, where were *Salmon* and *Berry*, and *M'Daniel* was sent for. *Berry* changed a Guinea, and gave *Tom* five Shillings, and bid him not be extravagant; he gave him that, he said, to *Flash* to the Boys, and shew it them, and say he made that last Night; he was to pull it out all at once. Then *Berry* gave *Salmon* half a Crown to be robbed of, and bid him go as fast as he could; *Tom* asked him where he should stop for them to see that they were going, that they might be both sure. He said he would stop at the *Bell* in the Borough, and call for a Glass of Gin. This being agreed upon, he went to the Boys.

It was then about half an Hour after Nine in the Morning. He went with the Boys to a House in *Little-Britain*, called for Beer, Bread and Cheese, pulled off his Coat, and said he must go to the *Fence*, to get some Money, for the Woman had not paid him all. Then he left his Great Coat and hastened to *Berry*, to let him know the Boys wanted to be gone; *Berry* bid him go back, and he would be over the Water soon enough for us. He returned to the Boys, and called for another Pint of Beer to delay the Time. Then they set out for *Deptford*. Being come to the *Bell* in the Borough, they went in, where on the

Right-hand Box sat *Berry* and *Salmon*; he took no Notice of them, but gave the Boys each a Halfpenny-worth of Gin. Being come out, *Kelly* said, D—n your Eyes, there is that old Thief-catching Son of a Bitch, your old Master. Said *Tom*, never mind it, I don't belong to him now. Then they went down the *Borough-market*, bought a Breast of Lamb for their Dinner, and went to the *Black Spread Eagle* in *Kent-street*, where they had the Lamb fried for their Dinner; and from thence went to *Deptford*. This was between Twelve and One o'Clock, and he had made them almost drunk. It was too soon in the Day, and he told them they could do nothing till dark, and so agreed to go into the Fields and take a Sleep. When he thought it a proper Time he wak'd 'em, and went together to the *Ship* at *Deptford*, the House appointed by *Berry* and *Salmon* to come to: He called for a Pint of Beer at the Door, and bid them stay while he went to speak with a Cousin of his in the Town. He went to see for *Berry* and *Salmon*; found *Berry* and went with him to a Publick House, drank, and went back to the Boys, and *Salmon* was to come to the same House. The Boys were still at the Door, and he said, come let us go in, I expect my Cousin to come to me.

THE Boys were all this while kept ignorant of the principal Affair, for *Tom* had only told them they were to steal Linen. He then called for a Pot of Beer, Bread and Cheese; in the mean Time *Salmon* came in, and sat down in a Box near them, and begun to talk about going to *London*, for it was then dusk. *Tom* sees *Berry* at the Window, and goes out to him, who bid him be sure to follow *Salmon* when he went away, which he did with the two Lads. When *Salmon* first came in, There, says *Kelly*, is that old Blood of a Bitch the Breeches-maker in *Shoe-lane*; his Son and I have been picking Pockets together many a Time. *Tom* said, never mind him, what is that to us? The Place *Salmon* was to stop at, was the four
 Mile

Mile Stone. *Tom* and the two Boys went on till they came to the Place, where, by a Gate, *Salmon* stood as if he was making Water. D—n me, says *Kelly*, there is the old Breeches-maker, he is *Suckey*, let us *scamp* him. The Reason he gave *Kelly* and *Ellis* for going after *Salmon*, was, to take a Walk till it was Time to steal the Linen. The Moon then shone.

BEING come up to *Salmon*, *Kelly* said, G—d d—n you what have you there? *Salmon* answer'd, Gentlemen, take what I have, but don't use me ill. He gave the Breeches to *Tom*; they were in a blue and white Handkerchief, and he gave them to *Kelly*, and ask'd him what Money he had got? *Salmon* said, Here, Gentlemen, what Money I have is in my Left-hand Waistcoat Pocket, in a Tobacco Box. *Kelly* took it out, with a Clasp Knife and Fork; then they went on for *London* as fast as they could, and lodged in *Kent-street*, at a House where he paid the Lodging Money at going down, by *Berry's* Order, to induce the Lads to come there again. They got in about Eleven o'Clock. As they went along they looked into the Tobacco Box, and found Two Shillings and Sixpence, a Pocket Piece with *Skillion* in it, or some such Name, and a punched Mark in the Middle of it. Which were all produced in Court by *Mr. Cox*. The Box was an oval Iron one, with a Rose and Garter round that; and a Lion and Unicorn with a Basso-Relievo on the Lid. The Pocket-piece, Breeches, Handkerchief, and Knife, were the same.

NEXT Morning they got up about 7 o'Clock, and went to the *Black Spread-Eagle*, the House *Berry* ordered him to go to. He called for some Beer, and went out in Pretence to get something for Breakfast, but went to the *White-Bear* where he found *Berry*, *Egan* and *Salmon*, sitting at the Door. *Berry* said, now must I wait for that Son of a Whore *M^r Daniel*. Go you back, and *Egan* shall come after you directly. *Egan* and he went along, and by the Way bought a Lamb's Liver; *Egan* went forward and called

called for a Pint of Beer. *Tom* came in with his Liver; and as he was cutting it, he said to *Ellis* and *Kelly*, that Man, (meaning *Egan*) deals in *Rag-Fair*, tho' he knew that he did not; may be he will buy the Breeches. Upon which he asked him, if he would buy any Leathern Breeches? He said, let me look at them; if you and I can agree, I will have them. Having looked at them, he asked the Price. *Tom* said, *Six Shillings*. He said he would give *Five*; and gave *Kelly* one Shilling as Earnest, but had no more Money about him, but would come in an Hour or two and pay the rest, and leave the Breeches with them 'till he came back. *Tom* asked him, if he would eat a Bit of Liver and Bacon before he went? He agreed, and sat down by the Fire Side, and called for a Halfpenny Worth of Tobacco, and then said, God bless me, what shall I do, I have lost my Tobacco-Box. Upon which *Tom* said, let us sell him the Box. No said *Kelly*, let us ding it, it is so remarkable a one it may be known. To ding it, is, to fling it away. *Tom*, however, persuaded him to sell it, and *Kelly* offered it to *Egan*, and asked Six-Pence for it. *Egan* said, it should not be in dry Money, but he would give him a full Pot of Twopenny, which was accepted. *Egan*, having eat his Breakfast, went out, and goes to *Berry* and *Salmon*. *Tom* went backwards with the two Lads, to play at Skittles, to detain them, but the Ground was so wet, that they could not play, so they got to another Game, called the *Devil and Taylors*. He kept them there an Hour and Half, and then said, if the Man don't come, let us sell the Breeches. Then he said, he would go and be shaved, left his great Coat, and went to the *White Bear*. Seeing *Berry* coming out of the *Elephant and Castle* with *M'Daniel*, *Berry* said, d—n you, where is your great Coat, and bad him go back and fetch it. And said, *M'Daniel* and *Egan* shall go. All the four Prisoners were there. He went back to *Ellis* and *Kelly*, and said, the Bar-
ber

ber was busy, and he must go again in five or six Minutes; that the Weather was cold, and he must put on his great Coat, which he did, and went to the *Elephant and Castle* to them again. *Berry* bad him go to the *Bell* in the *Borough*, and stay there 'till he came and to get shaved. As he was going, *Egan* and *M^cDaniel* went out, and he to the *Bell*, where in about an Hour *Berry* came to him; then they went homeward together as far as *Ludgate Hill* and parted. *Berry* bad him not to be afraid, for he would always keep a good Look-out, and they all assured him, that if he was taken up, *Salmon* should never appear against him.

BEING cross-examined, he confirmed all the Evidence he had before given; and being asked by *Berry*, what Lodging he lay in at his House, answered, sometimes in the Hayloft, and sometimes in the Room adjoining, where he lay 'till the Money was gone of *Kidder's* Reward, and then he was forced to lie in the Hayloft.

THE next Witness called, was *George Holewright*, the Substance of whose Evidence was, that he lived in *Scroop's Court Holbourn*; that he knew three of the Prisoners, namely *M^cDaniel*, *Salmon*, and *Berry*; and likewise *Blee* the Evidence; that *M^cDaniel* and his Wife came to lodge with him on *Ashwednesday* was Twelve-Months; and lodged there when he was taken up; that he had often seen *Blee*, who was a very handy Man amongst them; that he has frequently seen *Blee* with *M^cDaniel*, and that he used to wash the House and clean the Dishes, and often asked for his Master *Berry*, and were generally together. That the last Time he saw *M^cDaniel* was on the *Friday* Night, and on the *Saturday*, the Day after, he was gone down to *Maidstone*, but thought he was gone to *Coventry*, and saw *Blee* at his House much about the same Time; they were very busy together, but he made no Account of it, as he did not expect to be called upon in Court about it.

That

That he was in the *Artillery Ground*, and saw *Blee* running backwards and forwards, which was on a *Tuesday*. He said, *Tom*, what are you at? He answered, hold your Tongue; but did not see any of the Prisoners there. That *M^cDaniel* did not mention a Word of his going to *Maidstone*, but said, he had taken a Man in *Smithfield* for Murder, and expected to have the Reward; and said, that he should go to *Coventry* one Day or another. That he had often seen *M^cDaniel* and *Berry* together, but *Salmon* and *Egan* never. That the first three appeared as of one Company, and *Blee* running backwards and forwards, and much Whispering between them, but he never heard their Discourse. That he had often seen them drinking together, particularly at *M^cDaniel's*, when he kept the *Angel* in *Scroop's Court* about five Years ago, and at the *Union Arms* in *Union Court* about seven or eight Months ago. That *Berry* never was in his House, but had seen him two or three Times about the Door.

JAMES KIRBY, being sworn, depos'd to the Effect following: That he lived in *Cross-street, Hatton-garden*; that he saw *Berry*, *M^cDaniel* and *Salmon* drinking together at the *Union-Arms*, in *Union-Court*, about the 8th or 9th of *July*; that *Blee* came to them, and staid some small Time; *M^cDaniel's* Wife came in, and settled something that *Blee* had sold for her. He saw them there again a Day or two afterwards; that they seemed very well acquainted; *Blee* appeared to be *M^cDaniel's* Man, because he had seen him come there several Times to fetch Beer for his Master; that he used to wear his Beard long, as it was the last Time he saw him at the *Union-Arms*.

JAMES PRICE, being sworn, deposed; that he knew *Berry*, who lived in *George Yard*; that he frequently had seen *M^cDaniel* with him there, and some Times *Egan*. That *Salmon* came into the Yard last *August*, and asked if he had seen *Berry*. That he

he had a Warrant against *Blee* and young *Berry*; and that *Berry* concealed *Blee* in his House, which was about a Year ago. That he had often seen them together, and seemed to be well acquainted.

JOHN SAMMS, was next sworn, who gave his Evidence to this Effect: That he knew *Berry*, *M^cDaniel* and *Egan* and *Salmon*, also *Thomas Blee*; that he has seen *Berry*, *M^cDaniel* and *Egan* together at the *George* on *Saffron-Hill* at several Times for two Years past, and had drank with them two or three Times; that *Blee* lodged in *Berry's* House, and was often with them, except *Salmon*; that *Blee* always went up Stairs, and when *Berry* turned his Wife out, *Blee* used to lie there; what, says *Berry*, interrupting him, when he had neither Shoe nor Stocking to his Feet?

K E R B Y was shewn the Tobacco-box, and asked, if he had ever seen it before? He said, he had, and that the Property of it belongs to *M^cDaniel*; remembers, when *Salmon* and he were drinking together at the *Union Arms*, some loose Tobacco being left on the Table, *M^cDaniel* took out his Box to put it in; that it was a very remarkable one, and is pretty sure it is the same.

JOHN BRAYDER being sworn, was asked by the Court, if he knew the Pocket-piece that was shewn him? He answered, that he once sold a Piece pretty much like it; there was on one Side *Skilling*; but there was not then the Mark on it which he saw now; meaning the Mark which *Blee* said *Salmon* made in the Middle; that he sold it to a Woman, one *Blee* being by, whom he knew.

B L E E being asked, if this was true, answered, it was; and that the Woman he sold it to was *M^cDaniel's* Wife, or Company-keeper. She gave him Three-pence and a halfpennyworth of Gin for it.

JOSEPH COX was called again, and deposed as follows: That he had known *M^cDaniel* two or three Years; but had never seen the others, 'till he

saw them all together at *Maidstone* Assizes, whither he went the 24th of *August*. That being chief Constable of the lower Hundred of *Blackbeath*, he had an Information, that about the 3d or Beginning of *August*, a Breeches-maker had been robbed in the Parish of *Deptford*, where he, *Cox*, lived, by three Footpads, and that two of them were taken by *M^cDaniel* and others, and sent to *Maidstone* Gaol; and the third Person, whose Name was *Thomas Blee*, he was informed, kept Company with *M^cDaniel*; and that after about two or three Days Searching he very fortunately took that third Person, with the Help of a Constable at *Greenwich*, on *Friday* the 9th of *August*, in *Newgate* Street very early in the Morning. He took him directly to the Waterside, in Order to carry him to *Greenwich*. When they got him in the Boat, he said, that he would discover all he knew concerning the Robbery on the Breeches-maker. *Cox* bad him not do it there, because of the Watermen in the Boat, 'till they came to a Magistrate. They took him to a Justice of the Peace, where he made an Information, which was produced in Court. He saw him write his name to it, and the other is the Writing of Justice *Bell*. It was taken the 9th of *August*, but not sworn 'till the 13th, when it was read over to him, and then signed by the Justice of Peace.

THEN the Information was read in the Court; but as it contained no more than what was given in Evidence by *Blee*, we must refer the Reader back to it; except the last Paragraph, and Part of that preceeding: "That when *Egan* went out to get the Remainder of the Money for the said Breeches, he went to another Ale-house in *Kent Street* to *M^cDaniel*, who immediately went with *Egan*, and secured the said *Ellis* and *Kelly* with all the Things, except the Tobacco-Box, which *Egan* had purchased of them, as he believed. And this Deponent further saith, that he hath several Times been in Company with the said *M^cDaniel*, *Berry*, *Salmon*, and *Egan*, and they have all

all severally encouraged him, and said, if he should be impeached, they would say nothing against him; and they promised to share the Reward and Subscription Money raised, between the said *Berry*, *Salmon*, *M^r Daniel*, *Egan* and *this Deponent*; and that it was contrived to convict the said *Ellis* and *Kelly* on Purpose to get the Reward."

C O X then proceeded thus: As soon as this Information was taken, the same Night I took separate Warrants against *M^r Daniel*, *Berry*, *Salmon* and *Egan*. I was advised to attend the Tryal of *Ellis* and *Kelly*, and not to discover that I had *Blee* in Custody, 'till after the Tryal; and to prevent his escape *Thomas Warren* went down to assist me. When I came to *Maidstone*, I informed myself as soon as I could who was on the Back of the Bill of Indictment of *Ellis* and *Kelly*; their Tryal came on the 15th of *August* at Night; I came into Court very soon after the Trial began; *Blee* was then in my Custody, but Nobody knew it then at *Maidstone*; he was brought down in the Night, and stopped short of the Town. When I came in I heard *Salmon* giving Evidence against *Ellis* and *Kelly*; he said, he went in at the *Ship* at *Deptford* and had a Pint of Beer; that he saw three Men drinking in a Box, and *Ellis* and *Kelly*, the then two Prisoners at the Bar, were two of the three Persons, and the other a *Carrotty-bearded* Fellow; that after he had drank his Pint of Beer, in the Dusk of the Evening he went out in Order to go home to *London*, and having got as far as the *Four-Mile Stone*, opposite to which, at a Gate, he stopped to make Water: In the mean Time the three Men came up, and one of them d—n'd him, and asked where he was going? he said, he desired him not to swear, and that he was going to *London*; upon which the *Carrot-bearded* Fellow snatched the Bundle from under his Arm, and punched him in the Breast. The Judge asked him if there was Light enough to see their Faces, and whether he was sure the Prisoners

ners were two of the Men? Yes, he said, it was light enough to see their Faces, and he was sure that they were two of the People that robbed him. Then he went on and said, that *Kelly*, one of the Prisoners at the Bar, drew a Knife, and said, d—n him, let us search him, and took out of his Pocket an Iron Tobacco-box, in which was a Guinea in Gold, two Shillings and Six-pence in Silver, and a Silver Pocket-piece, and likewise a clasp'd Knife and Fork out of his Pocket; he said the Bundle contained two Pair of leathern Breeches, marked with I. S. and a Figure of 4. under the right Pocket, and that the Handkerchief had an Oilet Hole at each Corner, and he looked at them, and said, they were the Goods, that he was robbed off, and that they were his Property.

THE Court then asked Mr. *Cox*, if the Goods produced were the same? he answered, these are the same Goods, they were delivered into my Care, and have been ever since. The Judge asked *Salmon*, how he knew the Pocket-piece? He said by a particular Mark it had in the Middle. His Lordship asked to see it, and it was delivered to him by the Constable of *Greenwich*.

THE Court bid him look at the Pocket-piece and Tobacco Box. On viewing them he said, I am sure they are the very same Things he swore he was robbed of. I asked the Judge what he was pleased to have done with the Things? His Lordship bid me take Care of them till the Persons were tried. He then ask'd the Prisoners if they would ask *Salmon* any Questions? *Kelly* desired *Salmon* might be asked whether he saw him draw a Knife? *Salmon* said, Yes, you did draw a Knife, but I suppose you will deny all the rest presently. *Kelly* said, that can't be, because he had never a Knife. One Circumstance I had forgot. When the Judge asked him if it was Light enough to see their Faces, he also asked him if he could know the carrot-bearded Man, and if he had
ever

ever seen him before ? He said, no, he had not to his Knowledge.

WHEN *Salmon* had done, *Egan* gave his Evidence, and said, he dealt in old Cloaths, that on the 30th of *July* he went into *Kent Street* to the *Lock Hospital*, to see if they had any old Cloaths to sell, but they not being up he went to the *Black Spread Eagle* to get him a Pint of Bear ; that he observed three Men sitting in a Box drinking, and as he was telling the Landlady his Business, one of them, a carrot-bearded Fellow, not taken (for they did not know then that he was taken) asked, if he would buy two pair of Breeches ? He said, yes, if they could agree for the price, and they agreed for five Shillings, and that he gave *Kelly* a Shilling Earnest to bind the Bargain, till his Wife should come with Money, or something of that Sort ; and asking the Landlady for a Halfpennyworth of Tobacco, said he had lost his Box ; upon which one of the Men offer'd to sell him one, and he bought it of him for a Pot of Two-penny ; as he was looking at the Breeches he knew them to be *Salmon's* Property, having heard he was robbed over-night ; that after some Time he went out under Pretence to get the rest of the Money, but meeting with Mr. *M'Daniel*, whom he knew to be an Officer, told him the Story, and *M'Daniel* said he need not look any farther for an Officer, for he could do as well as a Constable ; so he returned back with him, took *Ellis* and *Kelly* at the *Black Spread Eagle* ; and on Searching them took out of *Kelly's* Pocket a Silver Pocket-piece, which was then produced, a Shilling and a Clasp Knife. The Judge ask'd him, how he knew the Breeches belonged to *Salmon* ? He said by a particular Mark they had. He was asked, how he knew the Mark ? He said he had bought Breeches of him for himself, and I think for his Son twelve Years, and knew his Mark particularly well. The Judge asking if he wou'd ask the Witness any Questions *Kelly* desired he might be asked, if the carrot-

rot-bearded Man and he did not wink at each other before he offered to sell the Breeches? *Egan* said farther, that what gave him the greater Suspicion that the Breeches were stolen was, because he had seen one of the two Prisoners duck'd for picking of Pockets in the *Artillery Ground*.

M^cDaniel, the next Witness, said he met *Egan*, who knowing him to be an Officer, told him the Story, and he went with him and took *Ellis* and *Kelly*, and on searching *Kelly* he found upon him a Silver Pocket-piece, the same that is now produced, a Shilling and a Clasp Knife; and that there was a Drummer in the Room when he took them, whom he order'd to assist him, which he did.

Cox having given this Account of their Evidence against *Ellis* and *Kelly* at *Maidstone* Assizes, proceeded to acquaint the Court in what Manner he took them. *Berry*, says he, was in the other Court, and I asked him to go and drink a Glass of Wine, which he did, and I secured him at the *Bell*; then I went to secure the others, according to my Warrants. As soon as they had given their Evidence, the Cryer order'd them to go out. We secured them; upon searching *M^cDaniel* I found this Knife upon him (*a long sheath'd Knife of the Dutch sort*) I was told of it before. As soon as they were secur'd, I was forced to get Leave to put them in the Mayor's Gaol. I ask'd *Salmon* if he knew one *Thomas Blee*? He said he knew no such Man, as he did the next Day when he was carried before the Justices. I believe there were twenty or thirty of them; *Blee* was brought Face to Face to him, he looked at him, and then declared he never saw that Man in his Life before. I asked *M^cDaniel* that Night if he knew *Tom Blee*, and he denied he knew any such Person. I ask'd *Egan* the same, and he as positively denied it as the rest, at the Time *Berry* was in Custody at the *Bell*. As we were going along to the *Bell* to drink a Glass of Wine, he ask'd me what I thought would be the Fate of *Ellis* and *Keny*,

Kelly, and who was to pay the Expence of the Prosecution, for it was considerable ? I said, if they were convicted there would be sufficient to pay the Expence, and if they were acquitted the Prosecutors must bear it themselves. He said he knew that, and for that Reason if this Affair was well over, he never would be concerned again ; by that Time we had got to the *Bell*, and I took him in Custody. When I had secured the others in the Mayor's Gaol, I went and fetched *Berry* from the *Bell*; after I had got him into that Gaol, I ask'd him if he knew *Tom Blee* ? He said he did not know any such Person. I put them in separate Rooms that Night, and set a Man in each Room with them. The next Day when *Berry* had been carried before the Justice and committed, he and I walked together from the *Bell* to the Gaol, in going along he said, he hoped the Gentlemen would not admit *M^cDaniel* as an Evidence (for at that Time it was thought he would get to be an Evidence) because he had saved himself once before by the same Means ; but, said he, if the Gentlemen will admit me an Evidence, I can do for *M^cDaniel*, and another Man whom he named, that is not in Custody, whom I know not whether I should name. But the Court bidding him to name him, he said it was *Ralph Mitchel*.

I asked him if he would tell me any Particulars that he had to alledge against them. He said he would write to me in a few Days, but never did.

As to *M^cDaniel*, the next Morning after he was apprehended, he desired to speak with me in the Room where he was confined. I took Mr. *Warren*, one of the Constables of *Greenwich*, with me, and went to him. He said, he had rather speak to me by myself; with that Mr. *Warren* withdrew : He then cried a good Deal, and begged of me to be his Friend, and get him committed for further Examination; for he said, he could make a very great Discovery relating to the Publick, and could put 500*l.* into my Pocket,

Pocket. I told him, I would acquaint the Gentlemen with what he said; accordingly I did; and he was afterwards committed upon the Warrant.

BERRY ask'd him, if he saw him any Way busy about the Affair. *Cox* answers, that *Berry* kept *M^cDaniel*, *Salmon* and *Egan* Company; and because it was my Place to take them, I kept Company with them all for four Hours. *Berry* denied that he knew *Blee*; and *Egan* that he knew either *Berry* or *Blee*.

THE next Witness call'd was *Elizabeth Pragnell*, who said she liv'd at the *Ship* at *Deptford*, and confirm'd what had before been given in Evidence, that *Blee* and the two Lads were at that House the 29th of *July* in the Evening, and the Mnext orning the two last were brought in again by a Constable and one *Carnock* a Drummer; that the Man she took to be the Constable was *M^cDaniel*, who asked her whether she knew these two Boys to have been there over-night? she said, yes.

CARNOCK, the Drummer, was then call'd, and being sworn, depos'd, that he was quartered at the *Black Eagle*, in *Kent-street*; that on the 30th of *July* last, about Eight o'Clock in the Morning, he saw *Blee* and two Lads in a Box eating and drinking; that *Blee* went out as he said to get shav'd; that in about Eight Minutes after, *M^cDaniel* came in and laid hold of *Kelly*, and said, come out you black-guard Dog. *Carnock* asking him why he abused the Lad, he said d—n him, I have a Warrant against him, I am an Officer, they have robbed a Man just against the four Mile Stone, near *Deptford*, and desired *Carnock* to assist him, which he did. Then he tied them together with a Piece of Rope, which being done, he desired him to step to the *Elephant and Castle*, and bid *Salmon*, whom he described, to come to him. As they went along together, *Carnock* ask'd him what had happened. *Salmon* told him how he had been robbed the last Night, what he had lost, and

and described the Thieves. Being come to the *Spread Eagle*, they saw *Egan* and a Bundle lying by him. *M^cDaniel* asked him what he had got in his Handkerchief? *Egan* answered, It is no Business of yours, for the Handkerchief and the Things in it, I bought of the Lads. *Carnock* made him open the Handkerchief, which was mark'd at each Corner, and the Breeches mark'd J. S. 4. *M^cDaniel* searched *Kelly*, and took a Clasp Knife out of his Pocket, a Shilling, and a Silver Pocket-piece; he gave him the Shilling again, said the Pocket-piece was mark'd in the Middle, and shewed it to *Carnock*, and desired him not to be meally-mouth'd when they came before the Justice. They tied the Things up in a Handkerchief, and set out to go to a Justice at *Greenwich*.

GOING along, *M^cDaniel* said to the Lads, you have made a good Hand of it if you have spent the Guinea already; they said they never took a Guinea from him. *M^cDaniel* said, one of them has got Money in his Stocking, but let 'em keep it poor Things, they'll want it. Then he press'd them to confess the Robbery before the Justice, and it would be better for them, and tell him where the other Fellow was gone; they said they could not tell any Thing about it. They went first to the *Five Bells* at the End of *Deptford*, and from thence to the *Ship*, *Egan* and *Salmon* following at a Distance.

THEN they went to *Greenwich*, and in the Clerk's Office they wanted *M^cDaniel* to be bound over to prosecute, but he said he could not, for he had a bit of an Estate left him in the Country, and he could not be there at the Time of the Assizes. Then the Justice's Clerk bound over *Carnock* and *Egan*. After this, they staid at *Greenwich* and drank; and as they were coming home, *Egan* swore by the Great God and the sweet Jesus, he would not appear against them at the Assizes. *Carnock* answered, you are bound over as well as I, and I can't see how you can

be off from going down. He reply'd, O by Jesus, it is only changing my Parish, it has cost me three Shillings to-day ; and the Breeches may go to the D---l, for I will never appear against them. They parted at Ten that Night, and *M^cDaniel* desired *Carnock* to come to him in *Union Court*. He went several Times, but could never find him there, nor at his Lodgings in *Scroop's Court*, but met him afterwards by Chance.

CARNOCK said farther, that he was at *Maidstone* Assizes, but they all of them kept out of his Sight ; at last he met *Egan* in the Street, and asked him if the Bill was found ? He said, no, it would not be done this Day or two. Thought he, I'll watch you ; and soon after met with *Salmon* and *Berry*, and one *Sergeant* a Constable. They all, except *Berry*, went into the Clerk's Office to get the Bill of Indictment drawn. The Clerk asked if they were all there ? *M^cDaniel* answered, yes : But there being six upon the Bill, and but five appearing, he asked if there was not a Drummer ? O, said *M^cDaniel*, I forgot him.

THE Bill being prepared, he went to the *Cock*, where sat *Berry*, who said, how do you do, *Drummer* ? *Carnock* not recollecting him, *Berry* said, don't you remember me at the *Elephant* and *Castle* when you came for *Salmon* ? I do now, said *Carnock*. Then *Berry* asked him whether he thought those two Lads would be convicted ? The other answered, it appears very plain against them. If they are not, replies *Berry*, I must either beg my Bread, or go upon the Highway.

THE next material Witness was *Henry Sergeant*, who deposed that he knew all the Prisoners very well, and assisted in taking them up at *Maidstone*. *M^cDaniel* said he was a young Constable, and should have a Share of the Reward ; that he should take the Money, and would see him paid. *Berry* said, we shall have a good Supper to-night, if the Prisoners are convicted,

victed, and if they were not, he thought he must beg his Way home. That as he was going along the Road with *Ellis* and *Kelly* to *Maidstone*, they told him there was one *Tom Blee* concerned with them in the Robbery, also where he liv'd, and what Sort of Cloaths he wore. This he took down in Writing, and the Justice desired him to go and take him. He said he would give Directions to one *Ralph Mitchel* a Thief-catcher ; but he refused to be concerned. He heard *M'Daniel* and *Berry* both say, they would share the Reward.

THE Witnesses for the King having all given their Evidence, the Prisoners were called upon to make their Defence.

BERRY begged the Court to put off his Trial till next Sessions, to give him Time to prove, that *Blee* had accused him falsely ; that *Blee* was a pilfering Fellow, and that he took *M'Daniel* with him to *Greenwich*, after he had heard he was taken up, on purpose to charge him with stealing his Goods.

M'DANIEL gave a rambling Account of his taking the two young Fellows in *Kent-Street*, and carrying them before Justice *Bell* at *Greenwich*. After that he took up a Man for murdering another at *Coventry*, and brought him to *Hicks's Hall*, and the Gentlemen told him he must go down to *Coventry* along with him. He went to *Maidstone*, where he said he could say nothing to the Robbery, and the Drummer could say as much as he could, as he took the Pocket-piece and Tobacco Box ; concluding his Evidence thus : As God Almighty is in Heaven I know no more of them than your Lordship there ; I have taken a great many Thieves and ventured my Life and been shot at by them ; I never had my Name brought in Question ; I have been offered Money to let Prisoners go, but I never would do it ; I could have had threescore Pounds to have done it.

SALMON said, he never was at the *Bell* in Company with that Fellow *Blee* in his Life, nor had been in that Alehouse these five Years.

EGAN desired to know where the *Bell* was, for he did not know it; and, looking at *Blee* said, he had no Knowledge of that Man in the World.

THEY were then severally asked, if they had any Witnesses to call to their Character? *Berry* called *James Price*, and said he had lived seventeen Years in the Yard, where he lived. *Price* said, if he must give him a Character, it would be a very bad one, and that if he insisted upon it, it would hurt him.

McDaniel said, there was Mr. *Holewright*, who had known him nine or ten Years, and desired that he might be examined: and *Holewright* said, he believed that he had known *McDaniel* so long as he mentioned; that he never did him any Injury; but as for the Rest, he believed, he was bad enough.

SALMON said, he had no Witnesses, because he had not Time to send for any.

Egan said, he had no Witnesses to call, because none of his Acquaintance knew he was in Trouble.

THEIR Trial lasted near nine Hours; and being ended, the Jury went out upon their Verdict; and being agreed, found them all four guilty of the Fact they were charged with in the Indictment; but some Doubts arising concerning the Law, how far the Prisoners, in procuring *Blee*, to procure *Kelly* and *Ellis* to commit this Robbery, are Accessaries to it under the Meaning of the Statute of the 4th and 5th of *Philip* and *Mary*; and the 3d and 4th of *William* and *Mary*, which take away *Clergy*, they knew not, and therefore prayed the Assistance of the Court. So found the Verdict special; in Order that the Point of Law may be determined by the Twelve Judges.

THE

T H E
 C A S E
 O F
K I D D E N, the Porter,
 is as follows :

M^cDANIEL, a Thief-taker, one of the four Prisoners above named, and a sort of Marshal to the Constables, having ordered *Blee*, his Servant, to look out for one or two more Men to engage in a Robbery, *Blee* soon inform'd him he had pitched upon *Joshua Kidden*, a Porter in the *Fleet-market*, *M^cDaniel* then and *Berry*, and other Thief-takers, having settled their Plan, concerted with *Blee* to act as follows. *Blee* went to the Porter, and told him a Gentleman at *Edmonton* in Distress, wanted a Porter to move off his Goods that Night, and, if he would assist, he should have five Shillings, and Victuals and Drink. The Porter agreed, and they went to *Edmonton*, and after refreshing themselves at a Publick House there, *Blee* pretended to go out to see if the Gentleman was ready; and returning, told the Porter the Gentleman suspected he was watched that Night, and would defer moving his Goods to another Time; and then treating the Porter with a Pot or two of Beer, they set forward for *London*. *Blee* soon began to persuade the Porter that they might easily pick up a little Money on the Road without

without any Risque ; but the Porter giving no Ear to him, they came on, and soon saw at a little Distance a Woman on foot, who had been designedly set down there out of a Chaise by *Berry*, that the Robbery being committed within that Parish, they might get the Additional Reward. *Blee* then urged the little Danger there was in robbing her ; but the Porter absolutely refusing, *Blee* proposed mending their Pace to Town ; the Porter accordingly put on, but *Blee* designedly lagging behind, the Porter looked back, and saw him with the Woman ; but he soon came up to the Porter, and told him how easily he had robbed her, and offered him half the Money. The Porter, frightened, said, he would have none of it ; and *Blee* pretending an Occasion to stop, made quite off.

BERRY and the Woman (in the Chaise) soon overtook the Porter, and *M^cDaniel* coming up at the same Time the Woman and *Berry* charged the Porter with holding a Knife to her Throat, whilst his Companion robb'd her ; and the Thief-takers secur'd him and carried him before a Justice, who committed him to *Newgate*, and on their Evidence he was tried and convicted at the *Old Bailey*, and executed at *Tyburn* in *February* 1754.

Thus was this poor Man most cruelly brought to a Shameful Death, which it was almost impossible for him to avoid, from the Moment they fixed their Eye on him, His Reasons for being on the Road at that Time must appear like an idle excuse ; and the Confederates seem'd to be Strangers to each other till that Time. And thus have several innocent Men lost their Lives for sham Robberies, and the Publick amused with numerous Executions, and flattered with Hopes, that the Number of Rogues must be lessen'd, at the same Time that they are plundered by veteran Villains, every one of whom is under Contribution to Thief-takers, &c. and are rarely brought to

to Justice by them, unless to answer their political Purposes.

To swear away the Life of an innocent Man, without the least Offence or Enmity pretended, merely for the sake of pocketing a little Money, is a Crime of so shocking a Nature, that few are so hardened in Villainy as to load their Consciences with the complicated Guilt of Perjury and Murder at the same Time. I don't remember above one Instance of this Kind; and that, is of *John Waller*, who about ten or twelve Years ago, had render'd himself very notorious in this Kind of Practice. Many innocent Persons lost their Lives on the Gallows by this Fellow's swearing Robberies against them for the sake of the Reward; and much more Mischiefe he would have done, had he not been stopt in his Career by the Vigilance of Sir *William Thompson*, one of the Barons of the Exchequer, who having Intimation given him of the atrocious Practices of this vile Wretch, watched his Motions so narrowly, that at last he brought him to condign Punishment, that is, such a Punishment as the Laws could inflict, which, it seems, is no more than the Pillory; tho' it be an Offence that deserves Death much more than robbing upon the Highway, or any other single Crime a Man can be guilty of. However, he did not go without his Reward; for the Populace were so enraged for the many Lives that he had caus'd to be wrongfully taken away, that they no sooner saw him on the Pillory, than they pelted him so severely that he dy'd under their Discipline. Thus, though he lost his Life in a Manner contrary to Law, yet was it but a just Recompence for those innocent Lives he had so cruelly sacrificed to his Avarice. But, to preserve a due Reverence for the Law, which ought not to be violated upon any Consideration, two of the Actors in his Death, namely, *Doltan*, and one *Griffis*, a Chimney-sweeper, were tried for it, condemned and executed. This, no doubt, was right; for if the Execution of Justice

was

was left in the Hands of the Mob, the Laws would soon become uselefs, and every Man's Life would be at their Mercy, whenever by the artful Management of some secret Enemy, their Passions should be work'd up to commit such an Outrage.

To prevent such Mischiefs as may happen on the like Occasions for the future, it is humbly submitted to the Judgment of the Legislature, whether it wou'd not be very proper to amend the Law in this Particular, and whether the Loss of Life upon a perjurious Evidence, should not be made capital; and whether an Accessary before the Fact, as he is equally guilty with the Felon who commits the Robbery, should not be liable to the same Punishment, and suffer Death without Benefit of Clergy.

F I N I S.

